

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-01964-CJN**

CENTER FOR INVESTIGATIVE REPORTING v. U.S.
IMMIGRATION & CUSTOMS ENFORCEMENT et al
Assigned to: Judge Carl J. Nichols
Cause: 05:552 Freedom of Information Act

Date Filed: 08/22/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**CENTER FOR INVESTIGATIVE
REPORTING**

represented by **Joshua Hart Burday**
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: joshb@loevy.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Merrick Jason Wayne
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Email: merrick@loevy.com
ATTORNEY TO BE NOTICED

Matthew Topic
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: matt@loevy.com
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. IMMIGRATION & CUSTOMS
ENFORCEMENT**

represented by **Scott Leeson Sroka**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-7113
Fax: (202) 252-2599
Email: scott.sroka@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**U.S. DEPARTMENT OF HOMELAND
SECURITY**

represented by **Scott Leeson Sroka**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/22/2018	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION & CUSTOMS ENFORCEMENT (Filing fee \$ 400 receipt number 0090-5652228) filed by CENTER FOR INVESTIGATIVE REPORTING. (Attachments: # <u>1</u> Exhibits A-F, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons)(Topic, Matthew) (Entered: 08/22/2018)
08/22/2018	<u>2</u>	NOTICE of Appearance by Matthew Topic on behalf of THE CENTER FOR INVESTIGATIVE REPORTING (Topic, Matthew) (Entered: 08/22/2018)
08/22/2018		Case Assigned to Judge Amit P. Mehta. (zmd) (Entered: 08/24/2018)
08/27/2018	<u>3</u>	SUMMONS (4) Issued Electronically as to U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION & CUSTOMS ENFORCEMENT, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent) (zmd) (Entered: 08/27/2018)
09/18/2018	<u>4</u>	NOTICE of Appearance by Scott Leeson Sroka on behalf of All Defendants (Sroka, Scott) (Entered: 09/18/2018)
09/19/2018	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF HOMELAND SECURITY served on 9/4/2018 (Topic, Matthew) (Entered: 09/19/2018)
09/19/2018	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. IMMIGRATION & CUSTOMS ENFORCEMENT served on 9/14/2018 (Topic, Matthew) (Entered: 09/19/2018)
09/19/2018	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 09/05/2018. (Topic, Matthew) (Entered: 09/19/2018)
09/19/2018	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 9/5/2018. Answer due for ALL FEDERAL DEFENDANTS by 10/5/2018. (Topic, Matthew) (Entered: 09/19/2018)
10/05/2018	<u>9</u>	ANSWER to Complaint by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION & CUSTOMS ENFORCEMENT. (Attachments: # <u>1</u> Exhibit A)(Sroka, Scott) (Entered: 10/05/2018)
10/05/2018	<u>10</u>	ORDER: Both a Complaint and an Answer are now before the court in this FOIA case. It is hereby ordered that the parties shall meet and confer and file a Joint Status Report on or before October 19, 2018. See attached Order for additional details. Signed by Judge Amit P. Mehta on 10/05/2018. (lcapm3) Modified on 10/5/2018 (lcapm3,). (Entered: 10/05/2018)
10/05/2018		Set/Reset Deadlines: Joint Status Report due by 10/19/2018. (zjd) (Entered: 10/09/2018)
10/18/2018	<u>11</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION & CUSTOMS ENFORCEMENT. (Sroka, Scott) (Entered: 10/18/2018)
10/19/2018		MINUTE ORDER. The parties shall report by November 19, 2018, whether summary judgment will be required and, if so, propose a briefing schedule. Signed by Judge Amit P. Mehta on 10/19/2018. (lcapm3) (Entered: 10/19/2018)
10/19/2018		Set/Reset Deadlines: Joint Status Report due by 11/19/2018. (zjd) (Entered: 10/19/2018)
11/19/2018	<u>12</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION & CUSTOMS ENFORCEMENT. (Sroka, Scott) (Entered: 11/19/2018)
11/19/2018		MINUTE ORDER: In light of <u>12</u> the parties' Joint Status Report, the parties shall submit a subsequent Joint Status Report on or before December 19, 2018, notifying the

		court whether summary judgment briefing will be required and, if so, proposing a briefing schedule. Signed by Judge Amit P. Mehta on 11/19/2018. (lcapm3) (Entered: 11/19/2018)
11/19/2018		Set/Reset Deadlines: Joint Status Report due by 12/19/2018. (zjd) (Entered: 11/21/2018)
12/19/2018	<u>13</u>	PROPOSED BRIEFING SCHEDULE by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION & CUSTOMS ENFORCEMENT. (Sroka, Scott) (Entered: 12/19/2018)
12/19/2018	<u>14</u>	ORDER: Having considered <u>13</u> the Joint Request for Briefing Schedule, the court sets the following schedule for further proceedings in this matter: Defendants' Motion for Summary Judgment shall be filed on or before January 31, 2019; Plaintiff's Cross-Motion for Summary Judgment and Opposition to Defendants' Motion for Summary Judgment shall be filed on or before February 28, 2019; Defendants' Reply and Opposition to Plaintiff's Cross-Motion for Summary Judgment shall be filed on or before March 11, 2019; Plaintiff's Reply shall be filed on or before March 25, 2019. See attached Order for additional details. Signed by Judge Amit P. Mehta on 12/19/2018. (lcapm3) (Entered: 12/19/2018)
12/19/2018		Set/Reset Deadlines: Defendant's Motion for Summary Judgment due by 1/31/2019. Plaintiff's Cross-Motion for Summary Judgment and Opposition due by 2/28/2019. Defendant's Reply and Opposition due by 3/11/2019. Plaintiff's Reply due by 3/25/2019. (zjd) (Entered: 12/21/2018)
01/31/2019	<u>15</u>	Consent MOTION for Extension of Time to File <i>Motion for Summary Judgment</i> by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION & CUSTOMS ENFORCEMENT (Sroka, Scott) (Entered: 01/31/2019)
01/31/2019		MINUTE ORDER granting <u>15</u> Consent Motion for Extension of Time and Modification of Briefing Schedule. The court sets the following schedule for further proceedings in this matter: Defendants' Motion for Summary Judgment shall be filed on or before March 4, 2019; Plaintiff's Opposition to Defendants' Motion for Summary Judgment and Cross-Motion for Summary Judgment shall be filed on or before April 3, 2019; Defendants' Reply shall be filed on or before April 17, 2019; and Plaintiff's reply shall be filed on or before April 24, 2019. Signed by Judge Amit P. Mehta on 01/31/2019. (lcapm3) (Entered: 01/31/2019)
01/31/2019		Set/Reset Deadlines: Defendants' Motion for Summary Judgment due by 3/4/2019. Plaintiff's Opposition and Cross-Motion due by 4/3/2019. Defendants' Reply and Opposition due by 4/17/2019. Plaintiff's Reply due by 4/24/2019. (zjd) (Entered: 02/05/2019)
03/04/2019	<u>16</u>	Consent MOTION for Extension of Time to File <i>Motion for Summary Judgment</i> by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION & CUSTOMS ENFORCEMENT (Sroka, Scott). Added MOTION to Modify on 3/5/2019 (znmw). (Entered: 03/04/2019)
03/06/2019		MINUTE ORDER granting <u>16</u> Consent Motion for Extension of Time. The court sets the following schedule for further proceedings in this matter: Defendants' Motion for Summary Judgment shall be filed on or before March 12, 2019; Plaintiff's Cross-Motion and Opposition to Defendants' Motion shall be filed on or before April 11, 2019; Defendants' Reply and Opposition to Plaintiff's Cross-Motion shall be filed on or before April 24, 2019; and Plaintiff's Reply shall be filed on or before May 1, 2019. Signed by Judge Amit P. Mehta on 03/06/2019. (lcapm3) (Entered: 03/06/2019)
03/06/2019		Set/Reset Deadlines: Defendants' Motion for Summary Judgment due by 3/12/2019. Plaintiff's Cross-Motion and Opposition due by 4/11/2019. Defendants' Opposition and Reply due by 4/24/2019. Plaintiff's Reply due by 5/1/2019. (zjd) (Entered: 03/10/2019)
03/12/2019	<u>17</u>	Consent MOTION for Extension of Time to File <i>Motion for Summary Judgment</i> by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION & CUSTOMS ENFORCEMENT (Sroka, Scott). Added MOTION to Modify on 3/13/2019 (znmw). (Entered: 03/12/2019)

03/12/2019		MINUTE ORDER granting <u>17</u> Consent Motion for Extension of Time. The court sets the following schedule for further proceedings in this matter: Defendants' Motion for Summary Judgment shall be filed on or before March 15, 2019; Plaintiff's Cross-Motion and Opposition to Defendants' Motion shall be filed on or before April 15, 2019; Defendants' Reply and Opposition to Plaintiff's Cross-Motion shall be filed on or before April 29, 2019; and Plaintiff's Reply shall be filed on or before May 6, 2019. Signed by Judge Amit P. Mehta on 03/12/2019. (lcapm3) (Entered: 03/12/2019)
03/12/2019		Set/Reset Deadlines: Plaintiff's Cross Motion and Opposition due by 4/15/2019. Defendants' Reply and Opposition due by 4/29/2019. Plaintiff's Reply due by 5/6/2019. (zjd) (Entered: 03/21/2019)
03/15/2019	<u>18</u>	MOTION for Summary Judgment <i>and Supporting Memorandum</i> by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION & CUSTOMS ENFORCEMENT (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration of Toni Fuentes, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D, # <u>7</u> Exhibit E, # <u>8</u> Exhibit F, # <u>9</u> Exhibit G – Vaughn Index)(Sroka, Scott) (Entered: 03/15/2019)
04/15/2019	<u>19</u>	MOTION for Summary Judgment by CENTER FOR INVESTIGATIVE REPORTING (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Topic, Matthew) (Entered: 04/15/2019)
04/17/2019	<u>20</u>	Memorandum in opposition to re <u>18</u> MOTION for Summary Judgment <i>and Supporting Memorandum Plaintiff's Combined Memorandum in Opposition to Defendants' Motion for Summary Judgment and in Support of Plaintiff's Cross-Motion for Summary Judgment</i> filed by CENTER FOR INVESTIGATIVE REPORTING. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Topic, Matthew) (Entered: 04/17/2019)
04/29/2019	<u>21</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>19</u> MOTION for Summary Judgment by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION & CUSTOMS ENFORCEMENT (Sroka, Scott) (Entered: 04/29/2019)
04/29/2019		MINUTE ORDER granting <u>21</u> Defendants' Consent Motion for Extension of Time. The court sets the following schedule for further proceedings in this matter: Defendants' Opposition shall be filed on or before May 29, 2019 and Plaintiff's Reply shall be filed on or before June 5, 2019. Signed by Judge Amit P. Mehta on 04/29/2019. (lcapm3) (Entered: 04/29/2019)
04/29/2019		Set/Reset Deadlines: Defendants' Opposition due by 5/29/2019. Plaintiff's Reply due by 6/5/2019. (zjd) (Entered: 04/29/2019)
05/29/2019	<u>22</u>	Memorandum in opposition to re <u>19</u> MOTION for Summary Judgment filed by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION & CUSTOMS ENFORCEMENT. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Sroka, Scott) (Entered: 05/29/2019)
05/29/2019	<u>23</u>	REPLY to opposition to motion re <u>18</u> MOTION for Summary Judgment <i>and Supporting Memorandum</i> filed by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION & CUSTOMS ENFORCEMENT. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Sroka, Scott) (Entered: 05/29/2019)
06/05/2019	<u>24</u>	REPLY to opposition to motion re <u>19</u> MOTION for Summary Judgment filed by CENTER FOR INVESTIGATIVE REPORTING. (Attachments: # <u>1</u> Exhibit A – Detainee Locator – Gonzalez, # <u>2</u> Exhibit B – Detainee Locator – Hernandez)(Burday, Joshua) (Entered: 06/05/2019)
06/24/2019		Case directly reassigned to Judge Carl J. Nichols. Judge Amit P. Mehta is no longer assigned to the case. (rj) (Entered: 06/24/2019)
08/06/2019	<u>25</u>	NOTICE of Appearance by Merrick Jason Wayne on behalf of CENTER FOR INVESTIGATIVE REPORTING (Wayne, Merrick) (Entered: 08/06/2019)